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09/873,539	06/04/2001	Charles E. Hill	10252-0020	7581

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EXAMINER

AL HASHEMI, SANA A

ART UNIT

PAPER NUMBER

2171

DATE MAILED: 05/14/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/873,539

Applicant(s)

HILL, CHARLES E.

Examiner

Sana Al-Hashemi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) 1-59 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

Claims Status: 1- 32, and 36-56 are rejected.

Applicant's arguments filed 4/5/04 have been fully considered but they are not persuasive.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-32, and 36-56 are rejected under 35 U.S.C. 102(e) as being anticipated by Bowman et al (US Patent No. 6,169,986).

1. Regarding Claims 1, 23, 26, 36, 41, 47, 49, and 59, Bowman discloses a system for managing a plurality of data files for a web browser, the system comprising:

a storage area on a computer storage medium, the storage area storing the data files (see Fig. 1, 133, Bowman);

a computer configured to access the storage area (see Fig. 1, 132, Bowman);

a first database configured to index the data files stored in the storage area (see Fig. 1, 142, Bowman); and

a program executable on the computer and configured to generate at least one

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automated search string , the program further configured to search the database index (see Fig. 1, 137, Bowman); according to the automated search sting and identify data files associated with the automated search string and to remove at least one data file from the storage area based on those data files identified from the search string(see Fig. 1, 139, column 6, lines 47-59, Bowman<sup>1</sup>).

2. Regarding Claim 2, Bowman discloses a system further comprising:

a second database configured to index data files stored in the storage area corresponding to a network site the user has grouped in a first list (see Fig. 1, 131, Bowman ).

3. Regarding Claim 3, Bowman discloses a system wherein the program is further configured to generate at least one automated search string corresponding to the data files indexed by the second database (see Fig. 1, 133, Bowman).

4. Regarding Claim 4, Bowman discloses a system wherein the program is further configured to search the first database index upon an activation of an event (see Fig. 2, 23, Bowman).

5. Regarding Claims 5, and 9, Bowman discloses a system wherein the event is activated when the web browser average access time to access the data files in the storage area exceeds a threshold time (see column 7, lines 34-38, Bowman).

6. Regarding Claim 6, Bowman discloses a system wherein the event is activated when the web browser is launched (see Fig.2, 250, Bowman).

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<sup>1</sup> The search refinement method taught by bowman correspond to the step or removing data file, since the refinement basically changes the search results and that can be by deleting or removing at least one of the data files from the storage area or the search results.

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7. Regarding Claim 7, 10, 13, 57, and 58, Bowman discloses a system wherein the program is further configured to delete all identified and not identified data files (see column 3, lines 14-21, Bowman).

8. Regarding Claim 8, Bowman discloses a system wherein the program is further configured to search the first and second databases upon an activation of an event (see column 23-29, Bowman).

9. Regarding Claim 11, Bowman discloses a system further comprising a third database configured to store access frequencies corresponding to stored data files (see column 4, lines 53-63, Bowman).

10. Regarding Claim 12, Bowman discloses a system wherein the program is further configured to search the first, second, and third databases upon an activation of an event (see Fig. 1, 130, Bowman).

11. Regarding Claims 14, 15, and 16, Bowman discloses a system wherein the program is further configured to retain a data file identified during the search if the data file has an associated access frequency that exceeds a predetermined reference value (see column 6, lines 60-64, Bowman).

12. Regarding Claim 17, Bowman discloses a system further comprising a third database, the third database configured to store a user-defined search string and the automated search string (see column 7, lines 52-61, Bowman).

13. Regarding Claims 18, and 19, Bowman discloses system wherein the third database indexes the search strings by a type key, the type key having a first value corresponding to a

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retention value, and a second value corresponding to a deletion value (see column 13, lines 40-61, Bowman).

14. Regarding Claim 20, 21 and 22, Bowman discloses a system wherein the program is further configured to delete a data file if the data file has an associated access frequency that is lower than a predetermined reference value (see column 10, lines 13-30, Bowman).

15. Regarding Claim 24, Bowman discloses a system wherein the program is further configured to delete data files indexed in the database upon terminating the single browsing session (see column 13, lines 4-16, Bowman).

16. Regarding Claim 25, Bowman discloses a system wherein the program is further configured to identify by a user-defined criteria data files indexed in the database and to retain identified data files indexed in the database upon exiting the browsing session (see Fig. 9, 900, column 14, lines 26-36, Bowman).

17. Regarding Claim 27, Bowman discloses a method wherein the step of searching the database according to the automated search strings includes the steps of:

defining a search event (see column 13, lines 43-50, Bowman); and

initiating the search according to the automated search strings after the occurrence of the event (see column 13, lines 51-61, Bowman).

18. Regarding Claims 28, and 29, Bowman discloses a method further including the step of deleting all data files identified from the search (see column 3, lines 14-21, Bowman).

19. Regarding Claim 30, Bowman discloses a method further comprising the steps of:

determining an access frequency for a data file stored in the storage area (see column 9, lines 7-13, Bowman); and

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retaining the data file if the corresponding access frequency is above a threshold value (see column 11, lines 1-5, Bowman).

20. Regarding Claims 31, and 45, Bowman discloses a method further comprising the steps of:

determining an access frequency for a data file stored in the storage area (see column 9, lines 7-13, Bowman); and

deleting the data file if the corresponding access frequency is below a threshold value (see column 9, lines 38-56, Bowman).

21. Regarding Claim 32, Bowman discloses a method wherein the step of generating automated search strings comprises the steps of:

Identifying all data files corresponding to a common network address (see column 14, lines 10-15, Bowman); and

using the common network address as a search term (see column 14, lines 15-25, Bowman).

22. Regarding Claim 37, Bowman discloses a system wherein the program is further configured to determine an access frequency associated with a data file and modify the first list of network addresses based on the access frequency of the data file (see column 14, lines 30-35, Bowman).

23. Regarding Claims 38, 40, 42, 43, and 51, Bowman discloses a system wherein the program modifies the first list of network addresses by deleting the network address corresponding to the data file if the associated access frequency is less than a threshold value (see column 10, lines 13-30, Bowman).

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24. Regarding Claims 39, 46, and 52, Bowman discloses a system wherein the program modifies the first list of network addresses by adding the network address corresponding to the data file if the associated access frequency is greater than a threshold value (see column 13, lines 5-16, Bowman).

25. Regarding Claims 41, and 48, Bowman discloses a system further comprising:  
a second list of network addresses (see Fig. 2, 210, Bowman); and  
wherein the program is further configured to store in the second list of network addresses network addresses associated with data files that are stored in the storage area during a browsing session (see Fig. 2, 220, Bowman).

26. Regarding Claim 44, Bowman disclose a system for managing a plurality of data files for a web browser, the system comprising:

a computer storage medium (see Fig. 1, 13, Bowman);  
a computer configured to access the storage medium (see Fig. 1, 110, Bowman);  
a list of network addresses stored on the computer storage medium, each network address in the list of network address corresponding to at least one data file (see column 5, lines 33-39, Bowman);

a storage area on the computer storage medium, the storage area storing the data files (see Fig. 1, 133, Bowman);

a program executable on the computer, the program configured to determine an access frequency of the data file (see column 6, lines 60-65, Bowman).

27. Regarding Claims 49, and 53, Bowman discloses a method of managing a plurality of data files for a web browser, the method comprising the steps of:



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storing the data files on a computer storage medium (see Fig. 1, 132,. Bowman);

creating a first list of network addresses (see Fig. 1, 131, Bowman);

storing the first list of network addresses on the computer storage medium (see Fig. 1, 134, Bowman) ; and

deleting from the computer storage medium data files not associated with the first list of network addresses (see column 3, lines 14-21, Bowman).

28. Regarding Claims 50, and 54 Bowman discloses a method further comprising:

determining an access frequency associated with one of the data files (see column 10, lines 1-5, Bowman); and

modifying the first list of network addresses based on the access frequency of the data file (see column 10, lines 5-12, Bowman).

29. Regarding Claim 56, Bowman discloses a method further including the step of retaining corresponding data files corresponding with the second list of network addresses if the corresponding data files also correspond to the first list of network addresses (see column 13, lines 17-26, Bowman).

30. Regarding Claims 55, and 56, the limitation of claim 55 and 56, will not be addressed since the language that suggests or makes optional but does not require steps to be preformed or does not limit a claim to a particular structure does not limit the scope of a claim or claims limitation.

***Response to Amendment***

Applicant argues the reference fails to disclose the system for managing a plurality of data files for a web browser of amended claim 1 which recites “ a storage area...storing the data files; a computer .. a first database configured to index the data files stored area; and a program... configured to generate at least one automated search string, the program further configured to search the database index according to the automated search string and identify data files associated with the automate search string and to remove at least one data file from the storage area based on those data files identified from the search string”.

Examiner does not agree. Referring to Fig. 1, the reference disclose all the imitations claimed subject matter, 133 is the data file storage where the all data is indexed in a catalog (see column 5, lines 9-12), configured to generate at least one automated search string, the program further configured to search the database index according to the automated search string and identify data files associated with the automate search string and to remove at least one data file from the storage area based on those data files identified from the search string (see column 6, lines 7-59).

Applicant argues the reference does not disclose “a list of network addresses stored on the computer storage medium, each network address in the list of network address corresponding to at least one data file”.

Examiner does not agree. Referring to Fig. 2, column 5, 6, lines 55-67, 1-6, respectively, Bowman discloses the list of network addresses which most correspond to at least one data file other wise the network address should not exist.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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*Points of Contact*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to: Sana Al-Hashemi whose telephone number is (703) 305-4881. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM.. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436. Any response to this office action should be mailed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231. Or telefax at phone number (703) 872-9306. For formal or draft communications, please label "PROPOSED" or "DRAFT". Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6<sup>th</sup> Floor Receptionist, Arlington, Virginia. 22202.

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May 10, 2004



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